

REMARKS

Claims 9-17 remain pending in this application. Claims 1-8 are previously cancelled. New claims 18-20 are added herein. Claims 9, 14 and 17 are amended herein to clarify the invention.

Claim 9 is amended to remove the alternative language in reference to the positioning of the illumination unit. Claim 14 is amended to remove the alternative language regarding the changing of the laser beam intensity.

Claim 17 is amended to clarify the comparing step so that it is clear that the image data is not compared to that of the ocular fundus being examined. Applicants contend that this is the only reasonable interpretation of the claim. If one is attempting to diagnose a disease by comparing an image to an image characterized by a particular disease, one could not use the image data of the ocular fundus being examined. Using the image data of the ocular fundus being examined would not help in such a comparison step because the ocular fundus being examined has not yet been determined to have any disease. In contrast, the Miehle reference only discloses comparing data from different types of tests the same patient. Thus, claim 17 does not read on the cited art.

One further independent claim in excess of three is added. The fee of \$210 for the claim is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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